
STATUTORY INSTRUMENTS

1997 No. 628

**HOUSING, ENGLAND AND WALES
HOUSING, SCOTLAND**

**The Homelessness (Persons subject to
Immigration Control) (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>5th March 1997</i>
<i>Laid before Parliament</i>		<i>7th March 1997</i>
<i>Coming into force</i>	- -	<i>28th March 1997</i>

The Secretary of State, in exercise of the powers conferred on him by section 9(2) of the Asylum and Immigration Act 1996⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Homelessness (Persons subject to Immigration Control) (Amendment) Order 1997 and shall come into force on 28th March 1997.

Classes specified under section 9(2)

2. In the Housing Accommodation and Homelessness (Persons subject to Immigration Control) Order 1996⁽²⁾, for the description of Class F, substitute—

— “a person (other than a person falling within Class E)—

- (i) who on or before 4th February 1996 made a claim for asylum;
- (ii) who was on that date entitled to benefit under the Housing Benefit (General) Regulations 1987⁽³⁾; and
- (iii) either—
 - (a) whose claim has not been recorded by the Secretary of State as having been determined or abandoned; or
 - (b) whose claim has been recorded as determined on or before 4th February 1996; and

⁽¹⁾ 1996 c. 49.

⁽²⁾ S.I.1996/1982.

⁽³⁾ S.I. 1987/1971; relevant amending instruments are S.I. 1994/470 and 1807 and 1996/30, 1510 and 2432.

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- (aa) whose appeal in respect of that claim was pending on 5th February 1996 or was made within the time limits specified in the rules of procedure made under section 22 of the 1971 Act; and
- (bb) whose appeal in respect of that claim has not been determined or abandoned.”.

Signed by authority of the Secretary of State

5th March 1997

David Curry
Minister of State,
Department of the Environment

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 4 of the Housing Accommodation and Homelessness (Persons subject to Immigration Control) Order 1996 by introducing a requirement that, for an asylum seeker who has an appeal outstanding to fall within Class F in article 4, his original claim must have been determined on or before 4th February 1996.